

Application No. 10/630,292
Reply to Office Action of November 17, 2004

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 6, 12, and 13. The change to Figure 6 adds reference numbers for upper ports 94 and lower ports 96. These ports are like the ports described in relation to Figure 3. The change to Figure 12 is to add ports and reference numbers. This change is supported by original claim 16 and the discussion in paragraph 0034. The changes to Figure 13 are to correct references to Figure 12. In particular, the cross section is of the lower section 196, ports 197 have been added, and the mesh has been illustrated. The amendments to the drawings do not add any new matter, as all the amendments are supported by the original specification, claims, and drawings.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

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I. REMARKS

Status Of Application

Claims 1-19 are pending in the application; the status of the claims is as follows:

Claims 1-8, 10-15 and 18 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 3,472,611 (“Gregston”).

Claims 9, 16, 17 and 19 were objected to as being dependent upon a rejected base claim, but otherwise were found to define patentable subject matter.

Applicants request the approval of sheets 1 and 2 of the formal drawings filed with the original application on July 30, 2003, and replacement sheets 3 and 4 filed herewith.

Claim Amendments

Claims 1, 2, 4-8, 14, 15, and 18 have been canceled.

Claims 3, 9-11, 16, 17, and 19 have been amended.

New claims 20-30 have been added.

35 U.S.C. § 102 Rejection

The rejection of claims 1-8, 10-15 and 18 under 35 U.S.C. § 102(b), as being unpatentable over Gregston, is respectfully traversed based on the following.

Applicant notes that although the Office Action cites as a reference “Gregston (3472611)”, there is no such reference. Applicant notes that there is listed a Gregston, U.S. Patent No. 3,473,611 on the Notice of Cited References, and thus concludes there is a typographical error in the Office Action. Further, Applicant notes that the two Gregston references cited in the Notice of Cited References are based upon a common application.

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The rejection of claims 1, 2, 4-8, 14, 15, and 18 based on Gregston is rendered moot by cancellation of those claims.

Claim 10 has been rewritten to depend from claim 9 which was indicated to contain allowable subject matter. Therefore, the rejection of claim 10 based on Gregston is rendered moot by the amendments.

Claim 3 has been amended to include a treatment chemical deposited on the outside of the plunger. Gregston does not disclose depositing the treatment chemical on the outside of a plunger, but rather only shows placing the treatment chemical within a chamber 140 which has valves controlling flow into and from the chamber. Thus, claim 3 is not anticipated by Gregston.

Claim 11 has been amended to define the applicator as being constructed to apply treatment chemical to the outside of the plunger. Gregston does not disclose an apparatus for depositing the treatment chemical on the outside of a plunger, but rather only shows an apparatus for charging chamber 140 with a treatment chemical. Thus, claim 11 is not anticipated by Gregston.

Claims 12 and 13 are dependent on claim 11 and are thus not anticipated by Gregston for the same reasons as claim 11.

Accordingly, it is respectfully requested that the rejection of claims 3, 10, and 11 under 35 U.S.C. § 102(b) as being unpatentable over Gregston, be reconsidered and withdrawn.

The Objections to the Claims

The objection to claims 9, 16, 17 and 19 are rendered moot by the amendments to those claims.

Newly Added Claims

New claims 20-30 do not present new matter and are supported by the specification.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment increase the number of independent claims from 8 to 9 and does not increase the total number of claims above 20, and does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$200.00 to be charged to Hitchcock Evert LLP's Deposit Account No. 5033-74 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Hitchcock Evert LLP's Deposit Account No. 5033-74.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Hitchcock Evert LLP's Deposit Account No. 5033-74. Any refund should be credited to the same account.

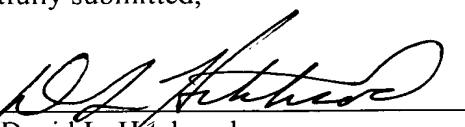
Applicant has submitted with this Amendment a Petition for Extension of Time Under 37 C.F.R. 1.136(a) and a fee transmittal. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith or if the Petition for Extension of Time does not request an extension of time sufficient to enable this document to be timely filed, then this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Hitchcock Evert LLP's Deposit Account No. 5033-74. Any refund should be credited to the same account.

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Respectfully submitted,

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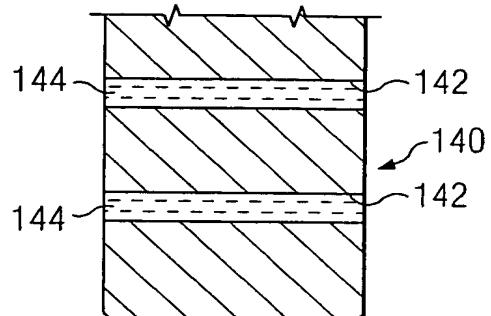
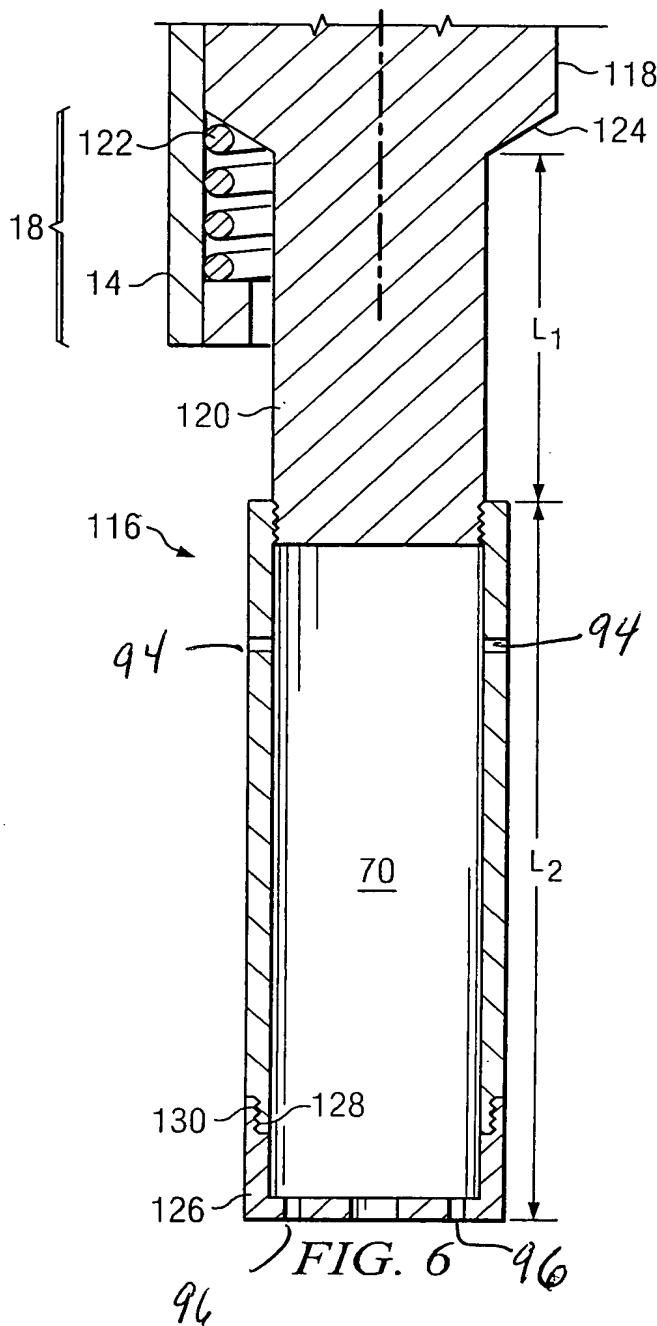


FIG. 8

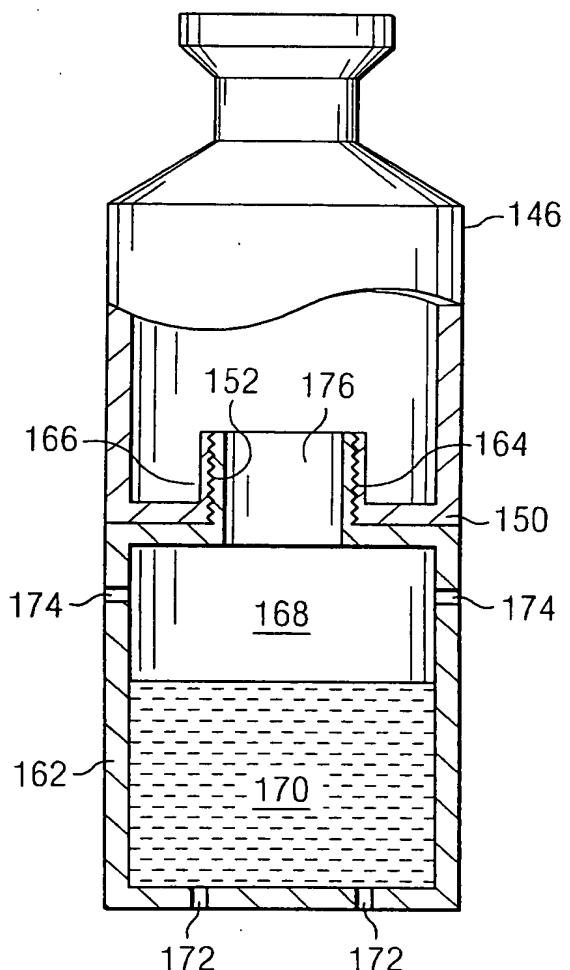


FIG. 9

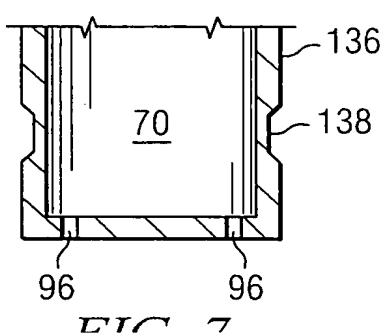


FIG. 7

